(5)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

WRIT PETITION NO. 1587 OF 2001

BETWEEN

Nand Kumar Bhardwaj S/o Shri Chhedan Das Bhardwaj, aged about 30 years, Secretary, Gram Panchayat Maro, Resident of Village and Post Maro, Tahsil Nawagarh District Durg.

PETITIONER

A N D

1. The State of Chhattisgarh, through the Secretary Department of Panchayat, Mantralay, D.K.Building, Raipur.

2. Collector (Panchayat) Durg, District Durg.

3. Chief Executive Officer, Janpad Panchayat Nawagarh, District Durg.

4. Sarpanch, Gram Panchayat Maro, Through Nandu Ram Sahu, Sarpanch, Gram Panchayat Maro, Tahsil Nawagarh district Durg.

5. Suresh Kumar Tiwari, Gram Panchayat Secretary, Maro, Tahsil Nawagarh District Durg.

RESPONDENTS

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA

(148)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No.1587/2001 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

08-03-2002

Heard Shri Diwakar with Shri Bharat Rajput, learned counsel for the petitioner and Shri Sanjay Kumar Agrawal, Deputy Advocate General for respondent No.1 and 2.

The petitioner has in this petition prays for issuance of a writ in the nature of mandamus directing respondent Nos. 3 and 4 to allow the petitioner to perform his duties on the post of Secretary, Gram Panchayat, Maro and respondent No.5 be restrained from functioning as Secretary.

The petitioner has filed this application I.A.No.1239/2002 for permitting him to produce a document as document No.1 which is the resolution passed on 22.1.2002 by the Gram Panchayat, Maro-respondent No.4 herein.

It is stated in the application that the said meeting was presided by Sarpanch of Gram Panchayat Maro and in the said meeting 11 panchas were present. The proposal no.3 was taken for consideration for reposting of the petitioner in the panchayat as

[पीछे देखिये

(49)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No.1587/2001 सन् 200

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	panchayat karmi and the said proposal was passed with full majority as per document No.1. I.A.No.1239/2002 is allowed. The petitioner is permitted to produce the said document. The document No.1 shows that 4th respondent has passed the resolution to repost the petitioner in the panchayat as panchayat karmi. In the circumstances, the writ petition has become infructuous. If, for any reason this resolution is not given effect to by respondent No.4, the petitioner is at liberty to file an application for appropriate relief before this Court. Accordingly, the writ petition is disposed of with liberty aforesaid. **Sd/-** **Chief Justice**	

Rao/Murthy

[पीछे देखिये